

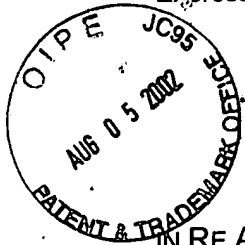
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Attorney Docket No. 291958162US1



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

Thomas L. Ritzdorf *et al.*

APPLICATION No.: 09/880,715

FILED: 12 June 2001

FOR: METHOD FOR FILLING RECESSED
MICRO-STRUCTURES WITH
METALLIZATION IN THE PRODUCTION OF
A MICROELECTRONIC DEVICE

EXAMINER: UNKNOWN

ART UNIT: 2800

CONFIRMATION No.: 7384

RECEIVED

AUG 09 2002

OFFICE OF PETITIONS

Petition to Revive Unintentionally Abandoned
Application under 37 CFR §1.137(b)

Assistant Commissioner for Patents
Box DAC
Washington, D.C. 20231

Sir:

The undersigned hereby petitions to revive the above-identified application. As explained below, it does not appear this application has been declared officially abandoned. However, it appears the application would have been abandoned effective 2 September 2001 for failure to file a response to the Notice to File Missing Parts of Nonprovisional Application (the "Notice") mailed 2 July 2001.

1. Reply Under 37 CFR §1.137(b)(1)

Enclosed herewith is a copy of the signed Declaration from US Patent Application No. 09/018,783, the parent of this continuation application, and a check in the amount of \$1,356, as called for in the Notice.

2. Fee Under 37 CFR §1.137(b)(2)

Enclosed is a check covering the fee of \$1280.00 under 37 CFR 1.17(m).

3. Statement Under 37 CFR §1.137(b)(3)

The entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR §1.137(b) was unintentional.

08/09/2002 AYDHDAF1 00000012 09880715

01 FC:141

1280.00 OP

08/09/2002 AYDHDAF1 00000013 500665 09880715

01 FC:101

02 FC:105

03 FC:102

04 FC:103

740.00 OP

130.00 OP

490.00 OP

14.00 CH

36.00 CH

4. Duration of Abandonment (1203 OG 86-87, Oct. 21, 1997)

The Notice was mailed 2 July 2001, so the response would have been due 2 September 2001. No Notice of Abandonment has been received in this application and the undersigned was informed in a telephone call to the Group 2800 Customer Service Line that it appears the application is still officially pending and no Notice of Abandonment has been mailed. Hence, this petition is being filed within 1 year of the date on which the application would have gone abandoned, but before the the application is officially classified as abandoned and before the applicant was notified of the abandonment. Attached hereto is a statement by Edward S. Hotchkiss explaining how the abandonment occurred and how it was unintentional.

5. Terminal Disclaimer under 37 CFR §1.137(b)(4) and (c)

- ☒ Since this application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ Since this application was filed before June 8, 1995, a terminal disclaimer is enclosed dedicating to the public a terminal part of the term of any patent granted hereon, and of any patent granted on a continuing application hereof, equivalent to the period of abandonment of this application.

6. Additional Fees

- ☒ Please charge any underpayment in fees for timely consideration of this Petition to Deposit Account No. 50-0665.

Respectfully submitted,
Perkins Coie LLP



Edward S. Hotchkiss
Registration No. 33,904

Date: 5 Aug 02

Correspondence Address:

Customer No. 25096
Perkins Coie LLP
1201 Third Avenue, Suite 4800
Seattle, Washington 98101-3099
(206) 583-8888



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Statement of Edward S. Hotchkiss

Assistant Commissioner for Patents
Box DAC
Washington, D.C. 20231

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1. I, Edward S. Hotchkiss, am a patent attorney at Perkins Coie LLP.
2. This continuation application was filed by Marcia Kelbon of the Law Offices of Christensen O'Connor Johnson Kindness LLP on 12 June 2001. The Transmittal Letter accompanying the application states that a Declaration and Power of Attorney was not attached and no fee was enclosed.
3. On 3 October 2001 (after the initial deadline for response to the Notice to File Missing Parts), Semitool, the assignee of this application, transferred responsibility for this application to Perkins Coie LLP.
4. On Friday, 2 August 2002, Harry M. Cross, Corporate Counsel of Semitool, Inc. checked on the status of this application. Finding no record of a response to the 2 July 2001 Notice to File Missing Parts of Nonprovisional Application, Mr. Cross called our firm to confirm that a response was filed.
5. I reviewed our file Friday afternoon and was unable to confirm that a response was filed, but I was unable to check the status of this application in PAIR.
6. Monday morning, I called the Group 2800 Customer Service line. I was informed the application was not marked as abandoned and no Notice of Abandonment had been mailed. However, the application had not yet been delivered to Group 2800 or assigned to an Examiner.

7. Given the transfer of responsibility of this application, I am not certain no response was filed. As I can find no record of such a response, though, I am led to assume no response was filed and the application is abandoned for failure to time respond.

Respectfully submitted,
Perkins Coie LLP

Date: 5 Aug 02



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